

REMARKS

By this Preliminary Amendment, Applicants have added new independent claim 26 as indicated above. No new matter is being added. Hence, Applicants submit that any subsequent action on this application would need to be non-final in view of the addition of this new independent claim. Claims 17-25 have been withdrawn from consideration. Claims 1 and 3-26 are now pending.

This Preliminary Amendment is in further in response to the final Office Action dated March 9, 2007. In the final Office Action, the Examiner has objected to claims 4-6 because of informalities, rejected claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over Mattson et al. (U.S. Patent No. 6,426,991) and Chappo et al. (U.S. Patent No. 6,510,195) in view of Bauer et al. (U.S. Patent Application Publication No. 2002/0011640), and rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Mattson et al., Chappo et al. and Bauer et al. in further view of Yamanaka et al. (U.S. Patent No. 6,372,558).

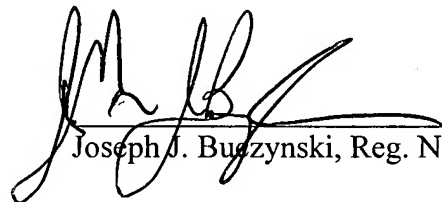
Applicants respectfully submit that the Amendment filed on September 6, 2007, and now entered with the filing of an RCE concurrently herewith, overcome the objection to claims 4-6 and the rejections of claims 1-16, at least for the reasons stated in the Remarks of that Amendment. In addition, Applicants further submit that the embodiment recited in new independent claim 26 added via this Preliminary Amendment is patentable over the references cited in the final Office Action.

CONCLUSION

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request withdrawal of all outstanding objections and rejections, and request the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,



Joseph J. Buzzynski, Reg. No. 35,084

Dated: February 6, 2008

Customer No. 055694
DRINKER BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, DC 20005-1209
Tel.: (202) 842-8800
Fax: (202) 842-8465